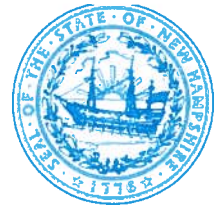




The State of New Hampshire
Department of Environmental Services



Clark B. Freise, Assistant Commissioner

March 22, 2017

The Honorable Richard Barry
Chair, House Science, Technology, and Energy Committee
Legislative Office Building, Room 304
Concord, NH 03301

RE: SB181, An Act relative to the regulation of biodiesel

Dear Chair Barry and Members of the Committee:

Thank you for the opportunity to comment on SB181 relative to the regulation of biodiesel. This bill would classify biodiesel as an exempt fuel under RSA 125-C:10-b *Best Available Control Technology Required*. The New Hampshire Department of Environmental Services (NHDES) requested and supports this bill.

Classifying biodiesel as an exempt fuel would encourage renewable fuel use by loosening the existing requirements on certain facilities that burn biodiesel. This change would make it easier for "affected sources", which are stationary sources that are subject to Title V of the Clean Air Act, to convert from fossil fuels to this cleaner, renewable form of energy. Currently, RSA 125-C:10-b requires affected sources that combust any material other than an exempt fuel to comply with certain permit requirements. These requirements include emission limitations based on best available control technology for particulate matter, mercury, and dioxin emissions. The permits also require extensive pollutant deposition and public health impact assessments.

Given the legislative history of RSA 125-C:10-b, NHDES believes that the statute was intended to limit pollution by ensuring that any affected sources wishing to combust non-conventional fuels conduct extensive analyses to evaluate potential risks to public health and the environment. Such non-conventional fuels include those generated from processing of solid wastes (such as wood removed from construction and demolition debris) that may have widely varying and/or unknown levels of contaminants such as lead, mercury, and dioxin.

Biodiesel does not pose the same risks as other non-conventional fuels because it is closer in composition to other exempt fuels, such as virgin petroleum products. Therefore, NHDES supports adding biodiesel to the list of exempt fuels. We believe that the amendment proposed in SB181 is reasonable and will remove an unnecessary barrier to promoting the use of this renewable fuel in New Hampshire.

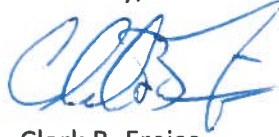
Thank you again for the opportunity to comment on SB181. If you have any questions or require further information, please contact either Michael Fitzgerald, Assistant Director

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(michael.fitzgerald@des.nh.gov, 271-6390) or Gary Milbury, Permitting & Environmental Health Bureau Administrator (gary.milbury@des.nh.gov 271-2630).

Sincerely,



Clark B. Freise
Assistant Commissioner

cc: *Sponsors of SB181: Sens. Feltes, Bradley, Fuller Clark, Giuda, Woodburn; Reps. Vose, Backus, Richardson, Shepardson*